

CHAPTER 33 - VEHICLES FOR HIRE

ARTICLE VII. TOUR SERVICE AND CHARTER SERVICE

Sec. 33-700. Scope of instant article.

Holders of operating permits for tour services and charter services and drivers and tour operators of said vehicles, shall be governed by the provisions Articles I and VII of this chapter.

Secs. 33-701 - 33-718, reserved.

Sec. 33-719. Amount of insurance.

Except as otherwise provided by the holder's operating permit, the public liability and property damage insurance required by this article shall be the minimum of \$500,000 combined single limit (CSL) for each vehicle with a rated capacity of 15 passengers or less. Vehicles with rated capacity of more than 15 passengers shall be required to maintain insurance equal to or greater than the minimum requirements set by the State of Texas Department of Transportation. These minimums shall be required to cover the following categories:

- (a) For damages arising out of bodily injury to or death of one person in any one accident;
- (b) For damages arising out of bodily injury to or death of two or more persons in any one accident; and
- (c) For damages arising out of injury to or destruction of property in any one accident.

Secs. 33-720 - 33-722, reserved.

Sec. 33-723. Number of ground transportation vehicles authorized.

- (a) A holder within 90 days after receipt of an operating permit, shall own, operate and maintain a city approved fleet of vehicles for hire consisting of the number of vehicles authorized and required by the permit agreement. The number of vehicles authorized by the permit agreement and the number of vehicle permits issued pursuant thereto shall be reduced to reflect the actual number of vehicles the holder is able to operate and maintain in accordance with the provisions of this chapter, the operating permit, the permit agreement, and the rules and regulations established by the director.

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(b) A holder may apply for and receive additional vehicle permits if such application satisfies the requirements of Secs. 33-008 and 33-007 of this chapter. The application, however, shall be denied if such holder:

- (1) Has been a permit holder for less than one year;
- (2) At any time during a twelve month period immediately preceding receipt of the application for additional permits, has failed to pay a fine owed within the time required by this chapter or by the director;
- (3) At any time during a twelve month period immediately preceding receipt of the application for additional permits, has failed to maintain the license/permit bond or insurances required by this chapter;
- (4) At any time during a twelve month period immediately preceding receipt of the application for additional permits, has had a vehicle permit revoked or suspended; or
- (5) Has failed to assign any previously issued vehicle permits to a vehicle.

(c) A holder who is approved for additional vehicle permits must execute an amended permit agreement authorizing the additional vehicles. The amended permit agreement shall supersede any such agreements previously executed between the city and the holder. The duration of the amended permit agreement shall be for the same period of time as provided for in the original permit agreement.

(d) Additional vehicle permits shall be distributed to qualified holders within 60 days of a reported deadline. A holder receiving additional vehicle permits shall, within 90 days of the distribution of such additional vehicle permits, increase his total fleet to the new level as required by subsection (a) of this section.

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Sec. 33-724. Supplemental operating permit.

If a vehicle for hire service experiences peak demand periods requiring more vehicles than are designated in its permit agreement or operating permit, the holder may request supplemental vehicles by submitting a written application for a supplemental operating permit along with proof of inspections and insurance, and which shall state the reason why supplemental vehicles are needed and identify the vehicles to be used.

Supplemental vehicles authorized by a supplemental operating permit:

- (a) May not be used for more than ten days.
- (b) Must comply with the vehicle requirements of this chapter.
- (c) Must comply with the insurance requirements of this chapter.
- (d) Are subject to inspection by the director, who may at any time order unsafe vehicles to be removed from service.
- (e) If leased or rented through a nationally recognized leasing or rental company, the vehicle shall be exempt from inspection requirements.
- (f) Vehicles that are permitted by other Texas cities may be utilized and are exempt from inspection requirements.
- (g) Vehicles with a rated seating capacity of 16 or more passengers and that is registered with the Texas Department of Transportation are exempt from inspection requirements.
- (h) The applicant must pay the supplemental operating permit fee in advance of the use of said supplemental permit.
- (i) A tour or charter service that utilizes a supplemental vehicle that is not in compliance with Sec. 33-524 of this chapter shall be in violation of Sec. 33-006 (a) of this chapter.
- (j) A tour or charter service or the holder that has been convicted or placed on community supervision, including probation and deferred adjudication, for a violation of Sec. 33.524(g) of this chapter shall no longer be authorized the use of supplemental operating permits.
- (k) For the purposes of the supplemental operating permits, Sec. 33-723 of this chapter shall not apply.

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Sec. 33-725. Supplemental drivers permit.

If a service experiences peak demand periods requiring more drivers than are currently permitted, the holder may request supplemental drivers by submitting a written application for a supplemental drivers permit, which shall state the reason why a supplemental driver is needed. Supplemental drivers:

- (a) Shall possess a valid Texas driver's license as outlined in Sec 33-041 (3);
- (b) Shall possess a valid driver's permit from the City of San Antonio, another Texas city, or has a Texas Department of Public Safety license designated for the type of vehicle they will be operated;
- (c) May not be used for more than 10 consecutive days;
- (d) Every individual driver may not be used for more than a total of 30 days in a calendar year;
- (e) A supplemental driver that is not in compliance with Sec. 33-724, Sec 33-725 of this chapter shall be in violation of Sec. 33-006 (a) of this chapter.

Sec. 33-726. Historic district restrictions.

(a) This section applies to any tour or charter service, whether operated from within or without the city and whether required to be permitted pursuant to the provisions of this chapter. This section does not apply where a tour or charter service is providing service to patrons residing, either permanently or temporarily, in the King William Historic District or the Monte Vista Historic District which does not include a tour of either historic district. This section does not apply where a tour or charter service is transporting primary and secondary school students to the Steves Homestead in the King William Historic District on a school-related trip. This section does not apply where a charter service is transporting persons to or from property owned or leased by a non-profit organization.

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(b) For purposes of this article only, the King William Historic District is that area bordered by S. St. Mary's, between Eagleland and Durango, Durango, between S. St. Mary's and Pancoast, Pancoast, between Durango and Washington, Washington, between Pancoast and E. Arsenal, E. Arsenal, between Washington and S. Main, S. Main, between Arsenal and Alamo, Alamo, between S. Main and S. Alamo, S. Alamo, between Alamo and E. Guenther, E. Guenther, between S. Alamo and Crofton, Crofton, between E. Guenther and Constance, Constance, between Crofton and E. Guenther, E. Guenther, between Constance and Eagleland, and Eagleland, between E. Guenther and S. St. Mary's. For purposes of this section only, the following streets are designated as commercial streets in the King William Historic District: S. Main, Durango, S. St. Mary's, Alamo, S. Alamo, and E. Guenther, between S. Main and S. Alamo.

(c) For purposes of this article only, the Monte Vista Historic District is that area bordered by McCullough, between E. Huisache and E. Ashby, E. Ashby, between McCullough and San Pedro, San Pedro, between E. Ashby and E. Hildebrand, E. Hildebrand, between San Pedro and Shook, Shook, between E. Hildebrand and Ledge, Ledge, between Shook and Kings Court, Kings Court, between Trinity University and E. Mulberry, E. Mulberry, between Kings Court and Stadium, Stadium, between E. Mulberry and E. Huisache, E. Huisache, between Stadium and McCullough. The Monte Vista Historic District also includes the following roadways: E. Rosewood, east of Shook, E. Hollywood, east of Shook, Oakmont, east of Shook, and Bushnell, east of Shook. For purposes of this section only, the following streets are designated as commercial streets in the Monte Vista Historic District: San Pedro, E. Hildebrand, McCullough, Stadium, and N. Main, between E. Ashby and E. Mistletoe.

(d) Except as otherwise provided in this section, no tour or charter service may operate a bus or motor coach on any street in the King William Historic District or the Monte Vista Historic District that is not a commercial street.

(e) Nothing in this section shall be construed to prohibit a vehicle for hire operated by a tour or charter service to operate along Wickes, between S. Alamo and Forcke, for the purpose of entering the property on which the Alamo Street Theater is located where said vehicle enters Wickes from S. Alamo.

(f) No tour or charter service operating a vehicle for hire along E. Guenther, between S. Main and S. Alamo, shall park or allow passengers to board or disembark on the north side of the roadway nor remain parked on the south side of the roadway for more than fifteen minutes and only then for the purpose of allowing passengers to board and disembark.

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(g) After having first obtained a destination point permit, a tour or charter service may operate a bus or motor coach along the destination routes designated in this section for the purpose of transporting passengers to and from the destination points within the King William Historic District or the Monte Vista Historic District designated in this section, but only where said passengers will disembark at said destination points. No such vehicle for hire operated for this purpose may remain parked on any non-commercial street within the King William Historic District or the Monte Vista Historic District for any period of time after said passengers have disembarked. Said vehicles may return to the destination point along the destination routes for the purpose of boarding said passengers at the completion of their tour, but may not remain on any non-commercial street for any period of time after the passengers have boarded.

(h) The following are designated destination points within the King William Historic District:

(1) The Steves Homestead Museum located at 509 King William, the destination route for which shall begin at the intersection of S. Alamo and E. Johnson and proceed west along E. Johnson to the intersection of E. Johnson and King William and then proceed south along King William to said destination point and then from the destination point south along King William to the intersection of King William and E. Guenther and then proceed west along E. Guenther to the intersection of E. Guenther and S. Main, or, alternatively, begin at the intersection of E. Guenther and S. Main and be the opposite route of the route described; and

(2) The San Antonio Art League located at 130 King William, the destination route for which shall begin at the intersection of King William and S. St. Mary's and proceed south along King William to said destination point and then from said destination point south along King William to the intersection of King William and Turner and then proceed east along Turner to the intersection of Turner and S. Alamo, or, alternatively, begin at the intersection of Turner and S. Alamo and be the opposite route of the route described.

(i) No destination points are designated within the Monte Vista Historic District.

(j) No tour or charter service may operate a vehicle for hire of any type on any non-commercial street in the aforementioned historic districts except between the hours of 10:00 a.m. and 6:00 p.m. Monday through Friday, and 12:00 p.m. and 6:00 p.m. Saturday and Sunday.

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(k) No tour or charter service may utilize or cause to be utilized from or in a vehicle for hire of any type operated by said tour or charter service an electronic sound amplification system that is audible outside of any vehicle operated by said service in the King William Historic District or the Monte Vista Historic District.

Sec. 33-727. Destination point permits.

(a) A destination point permit shall not be issued without the submission of a written application before use of the permit.

(b) The director may establish rules and requirements for obtaining permits. In addition, the director may establish rules further restricting the use of permits.

(c) Permits shall be displayed, at all times, in the windshield of any vehicle operating under the authority of the permit while in the King William Historic District or the Monte Vista Historic District.

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Sec. 33-728. Fees.

The following fees are hereby established:

- (1) Driver permit . . . \$30.00
- (2) Renewal of driver permit . . . \$30.00
- (3) Replacement of lost driver permit . . . \$15.00
- (4) Driver transfers from one holder to another . . . \$15.00
- (5) Supplemental permits, ten days (including airport operating permit) .
\$100.00
- (6) Application . . . \$110.00
- (7) Historic district designation point permits:
 - per five consecutive days/per service . . . \$20.00
 - per year/per service . . . \$100.00
- (8) * Tour Vehicle permit (per vehicle/per year)
 - Passenger capacity:
 - 15 or less . . . \$440.00
 - More than 15...\$550.00
- (9) * Charter Vehicle permit (per vehicle/per year)...\$250.00
- (10) Late permit payment . . . \$30.00
- (11) Re-inspection . . . \$28.00
- (12) Inspection re-scheduling ...\$28.00

All fees are due upon request of service and non-refundable.

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*Tour operating permit fees shall be paid to the city for each vehicle authorized by the permit agreement. The operating permit fees shall be paid in one payment or four quarterly payments, due on the first business day of the following months: January, April, July and October.

*Charter operating permit fees shall be paid to the city for each vehicle authorized by the permit agreement. The Charter operating permit fees shall be paid in one payment or two semi-annual payments, due on the first business day of January and July.

Permit fees shall not be pro-rated.

Tour operating permit and charter operating permits are separate. Vehicles that require both permits must request a tour permit and a charter permit.

Late permit payments shall be charged for all permit payments that are received after the close of business on the fifth business day of the month a payment is due.

Permits that do not have fees paid prior to 30 calendar days from the due date shall be suspended until all fees are paid. If the fees are not paid prior to 60 calendar days from the due date all permits shall be revoked.

Secs. 33-729 - 33-760, reserved.

Sec. 33-761. Rates of fare.

- (a) A holder shall file with the director a schedule of fares to be charged for services provided.
- (b) A holder shall notify the director within 48 hours of any changes in the fare schedule filed by the holder.
- (c) The use of any type of meter or measuring device to calculate rate of fare is prohibited.
- (d) Fares for charter service shall be based on the size and type of the vehicle used and the amount of time for which the vehicle is reserved.

Secs. 33-762 - 33-764, reserved.

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Sec. 33-765. Vehicle age requirements.

Vehicle used for charter or tour services shall not have any age limits; however, vehicles may be removed from service by the director if the vehicles do not comply with any part of this chapter, rules and regulations, or vehicle inspection guidelines.

Secs. 33-766 - 33-769, reserved.

Sec. 33-770. Reservation schedule required.

No charter vehicle may be operated for the purpose of providing charter service without a reservation schedule on board the vehicle reflecting the service being provided at the time.

Secs. 33-771 - 33-899, reserved.